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The Informer

CITIZEN = SUBJECT

AMERICAN = ENGLAND

By The Informer

Before getting into the case at hand you MUST understand a little known concept in English writing and the legal term and use of certain words by the court. Failure to understand will result in a poor reading of the case. And, in fact all other cases you read. That is why there is so much misunderstanding amongst people when they read a case. I can read a case and get an entirely different set of facts that most all people do not see. Most people are after a specific thing in a case to prove a point and miss a lot of good material.

Commas are a very important piece of understanding a sentence.

COMMA.*n.* A segment, to cut off. In writing and printing, this point [,]denoting the shortest pause in reading, and separating a sentence into divisions or members, according to the construction. Webster's 1828 American Dictionary

RULES OF PUNCTUATION--COMMAS THAT SET OFF.

4.1.1 Commas usually set off words, phrases, and other sentence elements that are parenthetical or independent. Items of this sort are contrasting expressions. <*Work, not words, is what is needed.*>

4.1.2 Commas usually set off appositional or modify words, phrases, or clauses that do not limit or restrict the main idea of a sentence. <*We leave at three O'clock, when the bell rings.*>

4.2.2 Whenever in spoken English there is an enumeration of items, a rising or sustained pause separate and distinguishes each member of a series. In writing, a comma likewise separates words, phrases or clauses that occur in a series.<*He opened the can, removed the contents, and replaced the lid.*>

4.4.2 It is equally important to insert a comma to prevent misreading or ambiguity. <*As the car struck, the utility pole fell with a crash.*>

WEBSTER'S SEVENTH COLLEGIATE DICTIONARY, 1970
PUNCTUATION

So you can see just how important commas are and where they are placed in a sentence. You may want to refer to this when reading the case.

Now we come to an all important word that when in law means something entirely different than what you think it means and the courts are well aware of this when they read legal briefs or write determinations.

Something the average writ writer has no clue as to how he is using the word. That word is the simple word "OR". Did you know that the word OR means AND unless a specific word is used in conjunction with it in LAW?

Standard definition Webster's Dictionary.

OR. *Conj..* Used as a function word to indicate an alternative.

So it is a conjunction.

CONJUNCTION. The state of being conjoined; occurrence together in time or space; connective.

Therefore, it can mean the word on either side of "or" are one and the same.

Ballentine's Law Dictionary 3rd edition. 1969

OR. A conjunction normally in the disjunctive. A conjunction properly used with "either" in stating a proposition in the alternative.

BLACK'S LAW 4th ED

OR, conj.. A disjunctive particle used to express an alternative or to give a choice of one among two or more things. It is also used to clarify what has already been said, and in such cases, means 'in other words,' 'to wit,' or 'that is to say.' Or is frequently misused; and courts will **construe it to mean** 'and' where it is so used. However, where the word 'or' is preceded by the word 'either,' it is never given a conjunctive meaning.

Now you are going to see how important that little word is, as well as the comma. Here I just gave you a prime example that the comma in the preceding sentence separated two independent things, word and comma. Look at punctuation rule 4.2.2 and 4.4.2. Apply it to all other law and you will be shocked that you have probably misread or misconstrued every law and case that you have seen. Now I have given you a second example in the preceding sentence where I used the word OR to mean AND. Since I did not use the word either in the sentence the word misread, OR means AND. And you wonder why these kids from age 35 back to age 18 have no concept of what they read and can't understand a thing about the world today when it comes to a simple contract? And you wonder why I and only a few other researchers see what you don't see in law or court cases and say we are wrong because you don't understand punctuation or the word Or means AND?

Hopefully I will not have to explain after you read the case. You will pick up on the fact that the term citizen of the United States was used well before the 14th Amendment was ever adopted, like pre 1824. You will see that the word 'either' NEVER appears in the decision. However you will see the word 'neither' used twice. Remember sentence construction from 6th grade where the "neither nor" rule applied like the "either or rule?" How many remember being taught that like I was?

You will see that citizen subject is one in the same and is what I have been saying since 1990. So you are not and never were a sovereign. Also you will see that they, the sovereigns, your rulers, can naturalize every man woman and child when an area joins the Union in one fell swoop. The people did not join the Union as only fictions called States can

join the Union.

This case shows where one can be a subject (citizen) of a state and still not be a citizen of the United States despite the 14th Amendment. All the 14th did was to put all under the military rule and was designed for corporations as evidenced by the fact the first time it was used to defend a black man was in the early 1930's. Come on now, from 1868 to 1933 that no case ever used it for a man, either white or black, should tell you something. In here you will see that those sovereigns give subjects (citizen) only privileges and it is considered a GIFT. Yes you will catch it when reading. Keep searching for the word RIGHTS as you read the case. Are they natural or conferred? Also, if all the so-called "Christians" use the definition as a follower of "Christ," then they are not "Christians." When you read what you have to give up to become a SUBJECT (citizen) of another sovereign and renounce all allegiance, I dare say we have no "Christians" in America whatsoever, save a very, very, few. It is all hype as they are all fence sitters. And they wonder why the Lord Almighty doesn't come down and clean the mess up? Because they are a big part of the mess. Look how many call themselves citizens of the United States or a citizen of the political subdivision of the corporate United States, namely a State? Look for the dates **April 14, 1802** & **March 3, 1863, (12 Stat. 731,)** and see what they declared way before the 14th Amendment. Yes dear reader, read this case well especially since I highlighted those words and punctuation for clarity. Now after reading this, do you think all those tons of cases you read have to be reread because the courts are not taking them with any seriousness because you misread them? I wonder what they really said in all those cases? Especially since after reading this case you will immediately see where you placed yourself, by claiming the Constitution is yours. And you probably said, I took an oath to defend it, even though it is not protecting me like I thought it said and by golly, as a citizen of this great state of the Union I am not a United States citizen, even though I voted either for or against Clinton. Now look what the court stated it had claiming jurisdiction over this alien because of what he did, not whom he said he was. Make sure you find the word "contract" in the decision. Every time you see **"or"** replace it with **"AND"**. As I have said all along, especially in my *New History of America*, we are nothing but slaves on the Plantation, never were the sovereigns you thought you were, and have no control over any State officer of the corporation although they like you to think you do. The Constitution they speak of is all rhetoric and meaningless. Plantation does not mean a farm either. So with all this knowledge of English and punctuation lets read what I scanned.

THE

FEDERAL REPORTER.

VOLUME 56.

CASES ARGUED AND DETERMINED

IN THE

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AND .DISTRICT COURTS OF THE
UNITED STATES.

PERMANENT EDITION,

JULY--OCTOBER, 1893,

WITH TABLES OF FEDERAL REPORTER CASES PUBLISHED IN VOLS. 3, C. C. A. REPORTS; 4, U.S. APPEALS REPORTS

A TABLE OF STATUTES CITED AND CONSTRUED IS

GIVEN IN THE INDEX

ST. PAUL:
WEST PUBLISHING CO.
1893.

CITY OF MINNEAPOLIS v. REUM.

(Circuit Court of Appeals, Eighth Circuit. May 29, 1893.)

No. 211

1. ALIENS--Who Are--EFFEC'T OF STATE LAWS.·
A foreign-born resident of the United States, who has merely declared his intention to become a citizen, but has never complied with any other provision of the naturalization laws, is none the less an alien because of the fact that the constitution and laws of Minnesota, wherein he resides, have conferred the elective franchise and other privileges of citizenship on foreign subjects who have declared their intention to be naturalized, and that he has actually voted for member of congress and state and county officers.

2. SAME--Naturalization Laws. ·
Nor is his status altered by reason of the fact that, when he so declared his intention, he was entitled, by reason of length of residence, to be naturalized, under Rev. St. § 2167, for that section merely dispenses with the two-year delay between the declaration of intention and the actual admission to citizenship which is prescribed by section 2165.

In Error to the Circuit Court of the United States for the District of Minnesota. Affirmed.
Statement by SANBORN, Circuit Judge:

On October 7, 1891, Frederick Reum, the defendant in error, brought this action against the city of Minneapolis, the plaintiff in error, for a personal Injury that resulted from its negligence. He recovered Judgment, to reverse which this writ of error was sued out. In his complaint he alleged that he was an alien, and a subject of the King of Saxony, and this allegation was denied by the defendant. The evidence disclosed these facts: The plaintiff was born in the kingdom of 'Saxony in 1859. His father and mother were natives of that kingdom, and the former resided there until he died, in the Infancy of the plaintiff. In 1863, after his father's death, the Plaintiff and his mother came to the state of Minnesota, where they have since resided. In 1885 he was married, and has since that time owned and occupied a farm in that state. On October 25, 189O, he made a declaration of his Intention to become a citizen of the United States in the circuit court for the district of Minnesota; but he has never been

the district of Minnesota, but he has never been admitted, or applied to be admitted, to citizenship under the second and third paragraphs of .section 2165 of the Revised Statutes of the United States, or under any provisions of the acts of congress. The state of Minnesota has conferred upon all foreign subjects resident within its borders who have declared their intention to become citizens the elective franchise, the privilege of holding any office within **its gift**, and practically all of the **privileges of citizenship** in the power of that state to confer. In November 1890, the plaintiff **voted for a member of congress** and for state and county officers in Minnesota. At the close of the evidence the defendant moved the court to dismiss the action for want of Jurisdiction, on the ground that the evidence failed to establish the allegation that the plaintiff was an alien. The court denied the motion, and this ruling is the supposed error assigned.

David F. Simpson, (Robert D. Russell, on the brief,) for plaintiff in error.
John W. Aretander, for defendant in error.

Before CALDWELL and SANBORN, Circuit Judges, and THAYER, District Judge.

SANBORN, Circuit Judge, (after stating the facts as above.) In Lanz v. Randall, 4 Dill. 425, Mr. Justice Miller, who was then presiding in the circuit court for the district of Minnesota, held that a state could not make the subject of a foreign government a citizen of the United States, and that a resident of Minnesota who was born a subject of the grand duke of Mecklenburg, had declared his intention to become a citizen of the United States many years before he brought his suit, had resided in the state of Minnesota for 15 years, had several times voted at elections held in that state where the constitution of the state authorizes such residents to do so without naturalization, but had never applied to be or been admitted to citizenship under the federal naturalization laws, was still an alien, and a subject of the grand duke of Mecklenburg. This decision has been followed by the courts, and acquiesced in by the profession. It is now vigorously challenged by counsel for plaintiff in error.

Section 2, art. 3. of the Constitution of the United states, provides that the judicial power of the nation shall extend to "controversies between a state or the citizens thereof and foreign states, citizens, or subjects;" and the acts of Congress of March 3, 1887, (24 Stat.552,) and of August 13, 1888, (25 Stat. 433,) confer jurisdiction of all these controversies in cases involving over $2,000 upon the circuit courts. Every person at his birth is **presumptively** a citizen **or** subject of the state of his nativity, and where, as in the case at bar, his parents were then both **subjects** of that state, the presumption is conclusive. To the land of his birth he owes support and allegiance, and from it he is entitled to the **civil** and **political rights** and privileges of a citizen **or** subject. This relation, **imposed by birth**, is presumed to continue until a change of nationality is proved. Minor v. Happersett, 21 Wall. 162, 167; Vatt. Law Nat. p. 101; Morse, Nat. 61, 125. A change of nationality cannot be made by the individual at will. Each nation has the right to refuse to grant the rights and privileges of citizenship to all persons not born upon its soil, and, if it determines to admit them to those rights and privileges, **it may fix the terms** on which they shall be **conferred** upon them. Naturalization is the admission of a foreign subject **or** citizen into the political body of a nation, and the bestowal upon him of the quality of a citizen **or** subject.

The fourteenth amendment to the Constitution of

The fourteenth amendment to the constitution of the United States provides that "all persons born **or** naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." As the plaintiff was born in the kingdom of Saxony, of parents who at the time of his birth were subjects of the king of Saxony, he is not a citizen of the United States unless he has been naturalized therein. The United States, in the exercise of their undoubted right, have prescribed the conditions upon compliance with which an alien may become a citizen of this nation. The act of Congress of **April 14, 1802, (2 Stat. 153,** c. 28, § 1; Rev. St. § 2165,) provides that "an alien may be admitted to become a **citizen of the United States** in the following manner, and not otherwise. First. He shall, two Years at least prior to his admission, declare before a proper court his intention to become a citizen of the United States, and to **renounce his allegiance to the** potentate or **sovereignty** of which he may be at the time a citizen **or** subject. Second. He shall, at the time of his application to be admitted, declare, on oath, before some one of the courts above specified, that he will support the Constitution of the United States, and that he **absolutely and entirely renounces and abjures all allegiance** and fidelity to every foreign prince, potentate, state, or sovereignty; and particularly, by name, to the prince, potentate, state, or sovereignty of which he was before a **citizen or subject**, which proceedings shall be recorded by the clerk of the court. Third. It shall be made to appear to the satisfaction of the court admitting such alien that he has resided within the United States five years at least, and within the state or territory where such court is at the time held one year at least and that during that time he has behaved as a man of a good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; but the oath of the applicant shall in no case be allowed to prove his residence."

By the act of **May 26, 1824**, (4: star. 69, c. 186, § 1; Rev. St. § 2167,) it is provided that:

"Any alien, being under the age of twenty-one years, who has resided In the United States three years next preceding his arriving, at that age, and who has continued to reside therein to the time he may make application to be admitted a citizen thereof, may, after he arrives at the age of twenty-one years, and after he has resided five years within the United States, including the three years of his minority, be admitted a **citizen of the United States**, without having made the declaration required in the first condition of section twenty-one hundred and sixty-five; but such alien shall make the declaration required therein at the time of his admission, and shall further declare on oath, and prove to the satisfaction of the court, that, for two years next preceding, it has been his bona fide intention to become a citizen of the United States; and he shall in all other respects comply with the laws in regard to naturalization.

There is no other provision of the acts of congress under which this plaintiff could have been naturalized. The counsel for plaintiff in error, however, alleges that he became a citizen of the United States (1).because at the time he declared his intention to do so he might have been admitted to citizenship, under the provisions of section 2167; (2) because various acts of congress have conferred certain privileges, and some have conferred all the **privileges, of a citizen** upon foreign-born residents who had declared their intention to become citizens; and (3) because the state of Minnesota has granted to such residents practically all the **privileges** of

citizenship in its power to bestow.

Before this plaintiff could become a naturalized citizen, **the contract of allegiance** and protection that the relation of a citizen to his nation implies must be made between him and the United States. The United States have prescribed the conditions under which such an alien **may make this contract**, the place where, and the manner in which, it shall be made, and have declared that it can be made on those conditions, and in that manner, and not otherwise. Rev. St. § 2165. The conditions are that he shall declare **on oath**, that he will support the Constitution; that he does **renounce all allegiance to every** foreign prince, potentate, state, or **sovereignty**, and particularly to that one of which he was a subject; that it shall be made to appear to the court that he has resided in the United States five years, and in the state where the court is held one year; that he has behaved as a man of good moral character during all of this time, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same. The place where these conditions must be complied with is in one of the courts of record named in the acts of Congress, and the **method by which the contract is to be made is by plenary proof** to that court of a compliance with these conditions, which must be evidenced by its judgment. The plaintiff has complied with none of these terms. He has not even applied to any court to be admitted to citizenship. He has not consented to become a citizen of the United States on the terms they offer to him, or on any terms, but he still insists he is not a citizen, and that he is still a subject of the king of Saxony. On the other hand, the United States have not consented to accept the plaintiff as a citizen, on any terms, much less to waive all the essential conditions without a compliance with which Congress has declared an alien cannot be naturalized. **The minds of both parties must meet to make a contract, and, where neither party consents, there can surely be no agreement.**

That the plaintiff, on October 25, 1890, had resided in Minnesota, as boy and man, long enough to qualify him to become a citizen under section 2167, is not material. The conclusive answer to the argument here urged is that the declaration of an intention to enter into a new relation for whom parties are qualified does not establish the relation. A man and woman who declare their intention to be married at some future time do not thereby become husband and wife. On the other hand, a declaration of intention to enter into a relation or to do an act at some future time is very persuasive evidence that the relation was not entered upon, and the act was not done, at the time the declaration was made. It must be borne in mind that the only effect of section 2167 was to relieve the plaintiff from waiting two years after filing his declaration before being admitted to citizenship. That section expressly provides that in all other respects he shall comply with the laws in regard to naturalization. The plaintiff's declaration on October 25, 1890, when he was qualified to be naturalized, that he intended at some future time to become a citizen, coupled with the fact that he did not then apply to be admitted to citizenship, nor comply with any of the conditions prescribed by law for his naturalization, compels the conclusion that he did not then denationalize himself, but that he still remained a foreign subject. That Congress, in various acts, has conferred certain privileges and imposed certain burdens upon "persons of' foreign birth who shall have declared their intention to become citizens," at the same time that it conferred like privileges or imposed like burdens upon our own citizens, as in the

act of **March 3, 1863, (12 Stat. 731,) where all able-bodied male citizens of the United States**, and "persons of foreign birth who shall have declared their intention to become citizens under and in pursuance of the laws thereof," between certain ages, are declared to constitute the national forces, and as in the patent laws, (Rev. St. § 4904,) the pre-emption laws, (Id. § 2259,) and in the mining laws, (Id. § ,2289,) where certain **privileges** are conferred on citizens of the United States, and "those who have declared their intention to become such," in no way militates against, but strongly supports, the correctness of our conclusion, because, if foreign-born residents, by declaring their intention to become citizens, could ipso facto become such, it would have been futile to name them in all of these acts as a class distinct from our citizens. That Congress has, by various special acts, many of which are referred to in the opinion of Chief Justice Fuller in Boyd v. Nebraska, 143 U.S. 158, 12 Sup. Ct. Rep. 375, naturalized certain classes of persons who had not complied with the terms of the general laws on this subject, is not important here, because the plaintiff is not a member of any class thus naturalized. **Nor is the decision in Boyd v. Nebraska, supra, in point in this case because Gov. Boyd was there held to be one of a class of foreign-born residents that was naturalized by the acts of Congress admitting the state of Nebraska into the Union. These acts conferred the rights of citizenship upon foreign-born residents of Nebraska who had declared their intention to become citizens. The plaintiff was a resident of Minnesota.**

A single argument remains to be noticed, and that is that the state of Minnesota has conferred on plaintiff the elective franchise, the right to hold any office **in its gift**, and, in reality, all the rights and privileges of citizenship in its power to bestow; and therefore it is said **he is a citizen of that state, and not a foreign subject**, and the federal court has no jurisdiction of this action. It may be conceded that a state may confer on foreign citizens **or** subjects all the rights and privileges it has the power to bestow, but, when it has done all this, it has not naturalized them. They are foreign citizens **or** subjects still, within the meaning of the Constitution and laws of the United States, and the jurisdiction of the federal courts over controversies between them and citizens of the states is neither enlarged nor restricted by the acts of the state. The power to naturalize foreign subjects **or** citizens was one of the powers expressly granted by the states to the national government. By section 8, art. 1, of the constitution of the United States, it was provided that "the congress shall have the power to establish a uniform rule of naturalization." Congress has exercised this power, established the rule, and expressly declared that foreign-born residents may be naturalized by a compliance with it, and not otherwise. This power, like the power to regulate commerce among the states, was carved out of the general sovereign power held by the states when this nation was formed and granted by the Constitution to the Congress of the United States. It thus vested exclusively in Congress, and no power remained in the states to change or vary the rule of naturalization Congress established, or to authorize any foreign subject to denationalize himself, and **become a citizen of the United States, without a compliance with the conditions congress had prescribed.** Dred Scott v. Sandford, 19 How. 393, 405; Slaughter House Cases, 16 Wall. 36, 73; Minor v. Happersett, 21 How. 162; Boyd v. Nebraska, 143 U.S. 135, 160, 12 Sup. Ct. Rep. 375,

In like manner, the states granted to the judiciary of the nation the power to determine a controversy between a state **or** citizens thereof and

foreign states, citizens, **or** subjects, (Const. U.S. art. 3, § 2,) and Congress conferred that power upon the circuit courts. The extent of the jurisdiction of those courts is measured by the Constitution and the acts of Congress. A foreign-born resident, who has not been naturalized according to the acts of Congress, is not a "citizen" of the United States **or** of a state, within the definition given by the fourteenth amendment to the Constitution, but remains a foreign subject **or** citizen; and any controversy between him and a citizen of a state which involves a sufficient amount is thus clearly within the jurisdiction of the circuit courts, under any fair construction of the Constitution and laws of the United States. **The jurisdiction thus conferred it is not in the power of any state, by its legislative or other action, to take away, restrict, or enlarge, and the action of the state of Minnesota regarding the citizenship of the plaintiff was not material in this case**. Toland v. Sprague, 12 Pet. 300, 328; Cowless v. Mercer Co. 7 Wall. 118; Railway Co. v. Whitton, 13 Wall. 270, 286; Phelps v. Oaks, 117 U.S. 236, 239; 6 Sup. Or. Rep. 714; O'Connell v. Reed, 56 Fed. Rep. 531.

The result is that the power granted to Congress by Article 1, § 8, of the Constitution of the United States, to establish a uniform rule of naturalization, is exclusive; and the naturalization laws enacted by Congress in the exercise of this power constitute the only rule by which a foreign subject may become a citizen of the United States **or** of a state, within the meaning of the federal Constitution and laws. It is not in the power of a state to denationalize a foreign subject who has not complied with the federal naturalization laws, and constitute him a citizen of the United States or of a state, so as to deprive the federal courts of jurisdiction over a controversy between him and a citizen of a state, conferred upon them by article 3, § 2, of the constitution of the United States, and the acts of Congress.

A foreign subject who is qualified to become a citizen of the United States, under section 2167 of the Revised Statutes, does not become such by filing his declaration of intention so to do. That section requires that he shall **renounce allegiance to the sovereignty of which he is a subject**, take the oath **of allegiance to the United States**, and comply with the other conditions prescribed in the second and third paragraphs of section 2165 of the Revised Statutes, in order to become naturalized; and until he does so he remains a foreign subject.

The court below was right in denying the motion to dismiss this action for want of jurisdiction, and the judgment below is affirmed, with costs.

Well I hoped you learned something from reading this case with the correct understand of punctuation and the word OR. Karl Granse gave me this case when we were researching citizenship way back in ‘93 or so. I just decided to dig this out when I saw this type argument posted on the internet the first week in February that was close to this. Wow, just think, the word "either" never appeared once in the decision therefore every time the word "OR" was used it is a conjunction meaning AND. Since all citizens of the United States have renounced allegiance to the Sovereign Lord Almighty and given up His citizenship, Eph. 2:19, for another king/sovereign they are neither Christians for they gave up following the Lord nor sovereign with any unalienable rights, only conferred rights by the political establishment. It is that simple. Notice that nowhere were The Lord’s unalienable Rights ever mentioned, only conferred political Rights which are always inferior to Natural rights and is the only reason the country runs, on

political rights. Ever hear either the term "politically correct" or "this court cannot decide your tax case argument because it is a `political issue'?"

Nothing is an unalienable right because the Crown's corporation of England still rules American "citizens" as it did its "subjects" in England. Only the term changed, i.e. we still are slaves to the feudal (federal) system.

Sincerely,
The Informer